

3600.6265-P1  
October 31, 2005 (11:48am)

Docket: AM-6265.P1

## Remarks

Claims 1-12, 24-27, 34, and 35 remain in the application.

The Examiner has rejected claims 25-27, 29, and 31-33 under 35 U.S.C. 102(e) as being anticipated by US Patent 6,579,421 to Fu. Claim 28 has been incorporated into claim 25 so the rejection of claims 25-27 is moot. Claims 29 and 31-33 have been canceled.

The Examiner has rejected claim 30 under 35 U.S.C. 103(a) as being obvious over Fu in view of *Method for Controlling the Crystalline Phase of Tantalum*. Claim 30 has been canceled.

The Examiner has allowed claims 1-12, 24, and 35. The Examiner indicates that claim 28 would be allowable if rewritten in independent form. Amended claim 25 contains the substantial content of now canceled claim 28. The Examiner has not specifically rejected claim 34, but it depends from a claim now in allowable form.

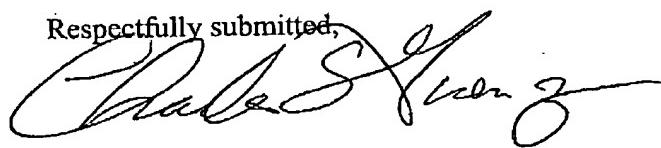
An Information Disclosure Statement was filed on October 6, 2005 citing art from a foreign search report. If a petition is necessary to consider the art at this time, it is so petitioned and the Commissioner is authorized to charge Deposit Account 50-0636.

Entry of the above amendment is respectfully requested under 37 CFR 1.116 as canceling claims.

In view of the above amendments and remarks, reconsideration and allowance of all claims are respectfully requested. If the Examiner believes that a telephone interview would be helpful, he is invited to contact the undersigned attorney at the listed telephone number, which is on California time.

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Respectfully submitted,



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